



\$3736 ✓
#5
B. Webb
7/29/03

PATENT
ATTORNEY DOCKET NO.: 049400-5021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Taiichiroh MEGURO) Confirmation No.: 9139
)
Application No.: 09/995,789) Group Art Unit: 3736
)
Filed: November 29, 2001) Examiner: J. Foreman
)
For: MEDICAL GUIDE WIRE AND)
BALLOON CATHETER)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **MS Non-Fee Amendment**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

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TECHNOLOGY CENTER R3700

Sir:

AMENDMENT TRANSMITTAL FORM

- Transmitted herewith is an Amendment in response to the Office Action dated February 13, 2003, for which the period for reply to has been extended two months through July 13, 2003.
- Additional papers enclosed:

- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☒ Transmittal of Substitute Drawings
- ☒ Five (5) Sheets of Substitute Drawings including five (5) figures
- ☒ Five (5) Sheets of originally filed Drawings with changes in red ink

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3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 410.00	\$ 205.00
<input type="checkbox"/> three months	\$ 930.00	\$ 465.00
<input type="checkbox"/> four months	\$ 1,450.00	\$ 725.00

Extension of time fee due with this request: \$410.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

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5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	12	minus	20	0	x \$18 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	0	x \$84 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s)					\$280.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 in the amount of \$410.00 for the two month extension of time fee and or additional claim fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: July 10, 2003

By: William S. Foster, Jr.
 William S. Foster, Jr.
 Reg. No. 51,695

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
 1111 Pennsylvania Avenue, N.W.
 Washington, D.C. 20004
 202-739-3000

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AMENDMENT UNDER 37 C.F.R § 1.111

Sir:

In response to the non-final Office Action dated February 13, 2003, for which the period for reply to has been extended two-months through July 13, 2003 by submission of a petition and payment of the appropriate fee, please amend the pending Application as follows.

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